IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1456 of 2007()

(CRIME NO.433/2006 OF PAVARTY POLICE STATION,THRISSUR DISTRICT)

PETITIONERS/ACCUSED NO.1 TO 5 AND 7:

1. **ANILKUMAR.A.R.,AGED**
   S/O.KOCHUNNI,MAKKAN HOUSE,
   MARUTHIYOOR,THRISSUR.(AI)

2. **PRADEEP,AGED**
   S/O.GOPALAN,VATTAPARAMBIL HOUSE,
   MARUTHIYOOR,THRISSUR.(A2)

3. **SASI,AGED**
   S/O.KRISHNANKUTTY,VADASSERY HOUSE,
   MARUTHIYOOR,THRISSUR.(A3)

4. **SATHYAN,AGED**
   S/O.VELAYUDHAN,AMBADY HOUSE,
   MARUTHIYOOR,THRISSUR.(A4)

5. **MANOJ,AGED**
   S/O.VELAYUDHAN,MAANATH HOUSE,
   MARUTHIYOOR,THRISSUR.(A5)

6. **PRADEEP @ PRAJESH,AGED 29**
   S/O.PRABHAKARAN,AMBADY HOUSE,
   MARUTHIYOOR,THRISSUR.(A7)

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS: COMPLAINANT/STATE:

1. **SUB INSPECTOR OF POLICE,**
   PAVARTY POLICE STATION,
   THRISSUR,REP.BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,ERNAKULAM.

2. **STATE OF KERALA,REP.BY THE**
   PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRU. P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1456/2007

Dated this 15th day of March, 2007

O R D E R

The petitioners, who are accused Nos. 1 to 4 and 6 in Crime No.433/2006 of Pavarty Police Station, Thrissur for offences punishable under Sections 143, 147, 148, 341, 324, 326 and 308 IPC read with Section 149 IPC, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application. He submitted that the fifth petitioner is not an accused in the case.

3. The case of the prosecution is that at bout 7.30 p.m on 23.12.2006, the defacto complainant was assaulted with sword, iron rod etc and consequently he sustained injuries including fracture of the right leg.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioners to surrender before the Investigating Officer and then to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are

directed to surrender before the Investigating Officer on any day between 21.3.2007 and 23.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. Thereafter the petitioners shall be produced on the same day before the Magistrate having jurisdiction. The Magistrate shall consider and dispose of the applications, if any, filed by the petitioners for regular bail preferably on the same day on which the applications are filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs